

07-14-04

1647  
Sfaw



Attorney Docket No. MTS/008  
(formerly 1270-007)

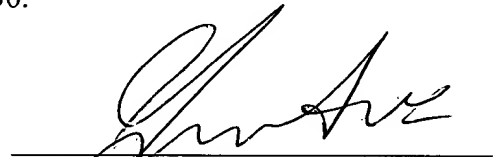
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Sharon L. Turner  
Group Art Unit : 1647  
Applicants : Robert F. Margolskee et al.  
Application No. : 09/834,792 Confirmation No.: 8395  
Filed : April 13, 2001  
For : TRP8, A TRANSIENT RECEPTOR POTENTIAL  
CHANNEL EXPRESSED IN TASTE RECEPTOR  
CELLS

“Express Mail” mailing label number: EV270265345US.

Date of Deposit: July 12, 2004.

I hereby certify that this paper/fee is being deposited with the United States Postal Service “EXPRESS MAIL POST OFFICE TO ADDRESSEE” service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
\_\_\_\_\_  
Claire J. Saintil-van Goodman

Encls.:

- (1) Transmittal Letter (in duplicate);
- (2) Reply to Notice of Non-Compliant Amendment;
- (3) copy of the Notice of Non-Compliant Amendment;
- (4) original executed Revocation of Power of Attorney and New Power of Attorney;  
and
- (5) Postcard.



Attorney Docket No. MTS/008  
(formerly 1270-007)

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CELLS

New York, New York 10020  
July 12, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

TRANSMITTAL LETTER


Sir:

Transmitted herewith are (1) a Reply to Notice of Non-Compliant Amendment; (2) a copy of the June 15, 2004 Notice of Non-Compliant Amendment; and (3) an original executed Revocation of Power of Attorney and New Power of Attorney; in the above-identified application.

The Director is hereby authorized to charge any additional fee, or credit overpayment of the same, in connection with the papers transmitted herewith to Deposit Account No. 06-1075. A duplicate copy of this letter is transmitted herewith.

Express Mail No.  
EV270265345US

Respectfully submitted,



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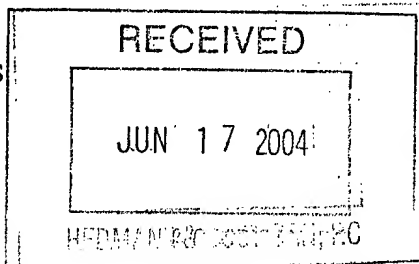


# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/834,792	04/13/2001	Robert F. Margolskee	AP32911 070165.0589	8395

7590 06/15/2004  
HEDMAN & COSTIGAN P C  
1185 AVENUE OF THE AMERICAS  
NEW YORK, NY 10036-2601



EXAMINER

TURNER, SHARON L

ART UNIT PAPER NUMBER

1647

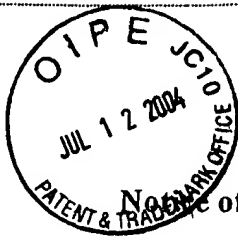
DATE MAILED: 06/15/2004

MTS/008

Please find below and/or attached an Office communication concerning this application or proceeding.

CASE \_\_\_\_\_ ATTY \_\_\_\_\_  
DUE DATE \_\_\_\_\_  
STATUTORY DATE \_\_\_\_\_  
BY \_\_\_\_\_

Express Mail No.  
EV270265345US



COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 1450  
ALEXANDRIA, VA 22313-1450  
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09/834,792

Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 3-4-04 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_
- ☐ 3. Amendments to the drawings: \_\_\_\_\_
- ☒ 4. Amendments to the claims:
- ☒ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all claims (including withdrawn claims)
  - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: Claims 18-23 and status are not shown

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

  
Legal Instruments Examiner (LIE)

571-272-0894  
Telephone No.

6-14-04